

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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**IN RE ADVANCED BATTERY  
TECHNOLOGIES, INC.  
SECURITIES LITIGATION**

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)  
) Consolidated Civil  
) Action No. 11 Civ. 2279 (CM)  
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**NOTICE OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF  
SETTLEMENT AND CERTIFICATION OF SETTLEMENT CLASS**

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*Lead Counsel and Proposed Lead  
Class Counsel*

PLEASE TAKE NOTICE that Lead Plaintiff Ruble Sanderson, individually and on behalf of himself and all others similarly situated, will and hereby does move this Court on a date and at such time as may be designated by the Honorable Colleen McMahon, Courtroom 14C, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007 for an order: (i) granting Preliminary Approval of the Proposed Settlement (the “Settlement”); (ii) provisionally certifying a Settlement Class; (iii) approving the form and method for giving notice as provided in the Stipulation of Settlement (the “Stipulation”); (iv) certifying Lead Plaintiff as Class Representative and Lead Counsel as Class Counsel; and (v) setting a date for a Settlement Hearing and deadlines for the mailing of the Notice, the filing of Settlement Class Member objections, the filing of opt-out notices, and the filing of Lead Counsel’s application for reimbursement of attorneys’ expenses.

This motion is based on this Notice of Motion, the accompanying Memorandum of Law in support thereof, the Stipulation, filed simultaneously herewith, the exhibits thereto, the pleadings and records on file in this action, and other such matters and argument as the Court may consider at the hearing on this motion. The ABAT Defendants, as defined in the Stipulation, do not oppose this motion.

Dated: November 5, 2013

Respectfully submitted,

**POMERANTZ GROSSMAN HUFFORD  
DAHLSTROM & GROSS LLP**

*/s/ Murielle J. Steven Walsh*

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